

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

December 5, 2019

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Administrator Wheeler:

I write to you with serious concerns that the Environmental Protection Agency's (EPA) October supplemental proposed rule for the Renewable Fuel Standard (RFS) fails to uphold the integrity of the RFS. I ask that the final rule establish a methodology that guarantees 15-billion gallons of conventional ethanol on an annual basis and keeps biodiesel volume requirements whole, as promised by the RFS.

When holding district work period discussions in Minnesota, I hear first-hand from farmers and rural communities about the harm caused by EPA's expansive use of small refinery exemption (SRE) authority. Since early 2018, EPA granted 85 blending exemptions to refineries which equals more than 4 billion ethanol-equivalent gallons of renewable fuel being taken out of the marketplace. These conditions have caused three ethanol facilities to close permanently and another fourteen to idle, affecting nearly 3,000 jobs and hundreds of millions of corn bushels on an annual basis. Similarly, 10 biodiesel facilities have closed, negatively affecting hundreds more American workers. I strongly agree with my constituents that enough is enough.

The RFS promises our rural economies that 15-billion gallons of conventional ethanol and increasing volumes of advanced biofuels such as biodiesel will be blended into the nation's transportation fuel supply. This supplemental rule fails to provide a suitable methodology for accounting for granted SREs. It is wholly inadequate for EPA to account for SREs by arbitrarily basing those projections on recommendations from the Department of Energy (DOE). Not only has EPA consistently waived more gallons than DOE recommends, the method will simply not fulfill the annual promise of the RFS. Nothing short of meeting this promise is acceptable.

EPA's proposed supplemental rule fails to provide the certainty needed in rural communities. Without a binding commitment that EPA will account for exemptions granted by EPA, this rule fails to keep the RFS whole.

Sincerely,



Collin C. Peterson
Member of Congress

DISTRICT OFFICES

714 LAKE AVENUE
SUITE 101
DETROIT LAKES, MN 56501
(218) 847-5056
FAX: (218) 847-5109

1420 EAST COLLEGE DRIVE
MARSHALL, MN 56258
(507) 537-2299
FAX: (507) 537-2298

13892 AIRPORT DRIVE
SUITE 3
THIEF RIVER FALLS, MN 56701
(218) 683-5405
FAX: (218) 847-5109

1700 TECHNOLOGY DRIVE
SUITE 119
WILLMAR, MN 56201
(320) 235-1061
FAX: (320) 235-2651